

Senator **Daniel McCay** proposes the following amendments:

1. *Line 248 through 257:*

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PART 2. Disposal of Public Property

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11-1-201 Definitions.

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As used in this part:

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(1) (a) "Dispose" means to:

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(i) sell, convey, donate, or otherwise permanently change the

ownership of real property { } ;

(ii) enter into a joint venture that gives a private entity the right to use, possess, or occupy real property; or

(iii) give a private entity the right to use, possess, or occupy real property under a lease agreement with an initial term of more than 10 years.

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(b) "Dispose" does not include

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(i) an exchange of a parcel of real property for another

parcel of real property described in Subsection 11-1-205(2) { } ;

(ii) the creation, transfer, or use of an easement, unless the easement has a fair market value of more than 50% of the fair market value of the affected real property; or

(iii) giving a private entity the right to use, possess, or occupy real property under a lease agreement with an initial term of 10 years or less.

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(2) "Governing body" means:

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(a) for a municipality or a county, the legislative body;

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(b) for an agency, the agency board;

2. *Line 281 through 287:*

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(i) any statutory requirements specific to the local governmental entity and the local

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governmental entity's public property; and

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(ii) the applicable requirements of this part.

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(2) {In} **Subject to Subsection (4) in** making a determination on whether public property constitutes a significant parcel:

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(a) a municipality shall apply the municipality's ordinance described in Subsection

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10-8-2(4);

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(b) a county shall apply the county's ordinance described in Subsection 17-78-103(4);

3. *Line 293:*

293 (3) If a local governmental entity does not define significant parcel in a local ordinance or
294 resolution, "significant parcel" means real property that has an estimated fair market
295 value of \$500,000 or more.

(4) A municipality or county may not establish by ordinance or resolution a definition of significant parcel that would result in real property with an estimated fair market value of \$500,000 or more not qualifying as a significant parcel under the ordinance or resolution.

4. *Line 301 through 318:*

301 public property on the local governmental entity's website or a real estate offering
302 website for a minimum of 45 consecutive days;

303 (b) post a physical sign on the public property indicating that:

304 (i) the public property is **available** for sale, **lease, or joint venture**; and

305 (ii) offers {**on the public property**} may be made to the local governmental entity; and

306 (c) announce the local governmental entity's intent to dispose of the public property
307 during a public meeting.

308 (2) A local governmental entity may offer the public property **that is available** for sale, **lease, or**
309 **joint venture** on one or more real
310 estate offering websites.

311 (3) Before disposing of public property that the local governmental entity has not classified
312 as a significant parcel, a local governmental entity shall post a physical sign on the
313 public property indicating that:

314 (a) the public property is **available** for sale, **lease, or joint venture**; and

315 (b) offers {**on the public property**} may be made to the local governmental entity.

316 (4) Nothing in this part diminishes a local governmental entity's discretion to determine the
317 terms and conditions of {**the final**} a disposition of public property in accordance with the
318 local governmental entity's relevant adopted ordinances or policies and other applicable
law.

5. *Line 345 through 354:*

345 (b) a local governmental entity offering public property back to the party the local
346 governmental entity received the public property from, if required to do so by another
347 provision of law;

348 (c) a local governmental entity conveying public property to another {**local**} governmental
349 entity;

350 (d) {**easements; or**} **the sale of a cemetery plot; or**

351 (e) ~~{ a lease at an airport for a term of less than 10 years. }~~ the abandonment or vacation
of a public street in accordance with the requirements of Section 10-20-208, 17-79-208, or
72-5-105.

352 (2) (a) A political subdivision that exchanges real property for another parcel of real
353 property is not required to comply with the provisions of this part if:

354 (i) both parties to the exchange are political subdivisions, both political subdivisions